

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

(1) WALTER MCCOWN as Attorney in
Fact for SAMMIE MCCOWN,

Plaintiff,

vs.

(1) ALLSTATE INSURANCE COMPANY,

Defendant.

Case No. CIV-16-867-W

NOTICE OF REMOVAL

COMES NOW Defendant, Allstate Insurance Company, and moves to remove this case from the District Court of Oklahoma County, State of Oklahoma to the United States District Court for the Western District of Oklahoma on the following grounds:

1. Allstate Insurance Company is the Defendant in a civil action filed on June 28, 2016, in the District Court of Oklahoma County, Case No. CJ-2016-3263, styled *Walter McCown as Attorney in Fact for Sammie McCown v. Allstate Insurance Company*.

2. This action is a civil action over which this Court has original jurisdiction under 28 U.S.C. §1332 and which the Defendant, Allstate Insurance Company is entitled to remove to this Court, pursuant to 28 U.S.C. §1441, *et seq.*, in that the amount in controversy exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, and the action is between citizens of different states, as at the time of the commencement of this action and at all times subsequent thereto.

3. Allstate Insurance Company is a wholly-owned subsidiary of Allstate Insurance Holdings, LLC, which is a Delaware limited liability company. Allstate Insurance Holdings, LLC is a wholly-owned subsidiary of The Allstate Corporation, which is a Delaware

corporation. The stock of The Allstate Corporation is publicly traded. No publicly-held entity owns 10% or more of the stock of The Allstate Corporation.

4. Plaintiff is a citizen of the State of Oklahoma.

5. This case meets the requirements of diversity in that the parties are citizens of different states, as set forth in paragraphs 2 and 3 above, and the amount in controversy exceeds, \$75,000.00, as set forth in the Petition that initiated this action, and which is attached hereto as Exhibit "6".

6. This Notice is timely filed with this Court within thirty (30) days after service upon the Defendant of Summons and Petition by which this case became removable.

7. A copy of the state court docket sheet is attached hereto as Exhibit "1" and is incorporated herein by reference.

8. A file stamped copy of an Entry of Appearance for Justin Cliburn is attached hereto as Exhibit "2" and is incorporated herein by reference.

9. A file stamped copy of an Entry of Appearance for Jacob Masters is attached hereto as Exhibit "3" and is incorporated herein by reference.

10. A file stamped copy of an Entry of Appearance for Rex Travis is attached hereto as Exhibit "4" and is incorporated herein by reference.

11. A file stamped copy of an Entry of Appearance for Paul Kouri is attached hereto as Exhibit "5" and is incorporated herein by reference.

12. A file-stamped copy of the Petition is attached hereto as Exhibit "6" and is incorporated herein by reference.

13. A copy of the Summons is attached hereto as Exhibit "7" and is incorporated herein by reference.

14. A file-stamped copy of the Return of Service on Allstate Insurance Company, c/o the Corporation Company is attached hereto as Exhibit "8" and is incorporated herein by reference.

15. A file-stamped copy of the Return of Service on Allstate Insurance Company, c/o Oklahoma Insurance Department is attached hereto as Exhibit "9" and is incorporated herein by reference.

16. A file stamped copy of an Entry of Appearance for David Donchin is attached hereto as Exhibit "10."

17. A file-stamped copy of the Reservation of Additional Time to Plead or Answer filed by Allstate Insurance Company is attached hereto as Exhibit "11" and is incorporated herein by reference.

18. A file-stamped copy of the Answer filed by Allstate Insurance Company is attached hereto as Exhibit "12" and is incorporated herein by reference.

WHEREFORE, Defendant, Allstate Insurance Company, prays that the action pending in the District Court of Oklahoma County, State of Oklahoma, Case No. CJ-2016-3263, be removed to the United States District Court for the Western District of Oklahoma.

s/ David B. Donchin

David B. Donchin, OBA #10783

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Attorneys for Defendant Allstate Insurance Company

CERTIFICATE OF SERVICE

☒ I hereby certify that on July 29, 2016, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Rex Travis, OBA# 9081
Paul Kouri, OBA# 20751
Justin C. Cliburn, OBA# 32223
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s/ David B. Donchin

David B. Donchin
Thomas R. Kendrick